

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

JED WALLACE, §
STREET RELATIONS, INC. §
§
Plaintiffs, §
§
v. § CIVIL ACTION NO. 1:25-cv-163
§
BLAKE LIVELY, §
§
Defendant. §

**PLAINTIFFS' OPPOSED MOTION FOR AN ORDER REQUIRING THE
PARTIES TO CONFER AND SUBMIT A
PROPOSED SCHEDULING ORDER TO THE COURT**

Plaintiffs Jed Wallace and Street Relations, Inc. (“Plaintiffs”) respectfully move the Court, pursuant to Federal Rule of Civil Procedure 16 and Question 10 of this Court’s Fact Sheet, for an order requiring the parties to confer and submit a proposed scheduling order. In support of this motion, Plaintiffs state as follows:

On February 4, 2025, Plaintiffs filed their Complaint for Declaratory Judgment and Defamation against Defendant Blake Lively (“Defendant”). Defendant moved to dismiss the Complaint on April 7, 2025 (Dkt. 18). Plaintiffs subsequently filed their Amended Complaint on April 24, 2025 (Dkt. 21), dropping their claim for declaratory judgment, after which Defendant filed a Motion to Dismiss the

Amended Complaint (Dkt. 26). Briefing on Defendant's Motion to Dismiss was complete as of June 23, 2025.

Since June 16, 2025, Plaintiffs have made multiple attempts to engage Defendant in a conference pursuant to Federal Rule of Civil Procedure 26(f) and to reach agreement regarding a joint request for an initial status conference. Today, we were informed by Defendant's counsel that Defendant does "not agree to scheduling a Rule 26f conference at this time because [Defendant does] not believe that discovery should occur in this matter until after the Court determines if the case is properly before it." We disagree.

Question 10 of this Court's Fact Sheet asks: "What is the court's procedure for issuance of scheduling orders in civil cases?" The response to that question, as provided by the Court, is:

The Court will send the parties an order requiring them to confer and submit a proposed scheduling order to the Court. Failure to submit a proposed scheduling order within the Court's thirty (30) day deadline will result in the Court issuing its own order.

In light of the above, Plaintiffs respectfully request that the Court enter an order requiring the parties to confer and submit a proposed scheduling order in accordance with the Court's procedures.

As to the issue of a “status conference,” Defendant’s counsel states that Defendant is “not opposed to requesting a status conference as long as it is at a mutually convenient time.”

WHEREFORE, Plaintiffs Jed Wallace and Street Relations, Inc. respectfully request that the Court (1) enter an order requiring the parties to engage in a Rule 26(f) conference and to submit a proposed scheduling order to the Court, and (2) set a status conference. Plaintiffs further request such other and further relief as the Court deems just and proper.

Dated: July 18, 2025

Respectfully submitted,

JACKSON WALKER LLP

/s/ Matt Dow

Charles L. Babcock

Texas Bar No. 01479500

Joel Glover

Texas Bar No. 24087593

Tori Emery

Texas Bar No. 24126228

1401 McKinney, Suite 1900

Houston, TX 77010

(713) 752-4200

(713) 308-4110 [FAX]

cbabcock@jw.com

jglover@jw.com

temery@jw.com

Minoo Blaesche
Texas State Bar No. 24075102
Carl C. Butzer
Texas Bar No. 03545900
2323 Ross Avenue, Suite 600
Dallas, Texas 75206
(214) 953-6000
(214) 953-5822 [FAX]
mblaesche@jw.com
cbutzer@jw.com

Matt Dow
Texas Bar No. 06066500
Katharine Lee Carmona
Texas Bar No. 00787399
Cody Lee Vaughn
Texas Bar No. 24115897
100 Congress Ave., Suite 1100
Austin, TX 78701
(512) 236-2000
(512) 391-2113 [FAX]
mdow@jw.com
kcarmona@jw.com
cvaughn@jw.com

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF CONFERENCE

I hereby certify that on June 18, 2025, Defendant's counsel informed me: "We do not agree to scheduling a Rule 26f conference at this time because we do not believe that discovery should occur in this matter until after the Court determines if the case is properly before it," and (2) she is "not opposed to requesting a status conference as long as it is at a mutually convenient time." Plaintiffs style this motion as opposed because Defendant opposes Plaintiff's request for an order requiring the parties to confer and submit a proposed scheduling order.

/s/ Carl Butzer _____

Carl Butzer

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of July, 2025, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system.

/s/ Matt Dow _____

Matt Dow